

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IPXPHARMA, LLC,

Plaintiff,

v.

MILLENNIUM PHARMACEUTICALS, INC.,

Defendant.

Civil Action No. 3:14-cv-01545
Judge Aleta A. Trauger
Magistrate Judge Juliet Griffin

**MILLENNIUM PHARMACEUTICALS, INC.’S
MOTION FOR LEAVE TO FILE ITS RESPONSE TO
IPX’S SUR-REPLY TO MILLENNIUM’S MOTION TO DISMISS**

Defendant Millennium Pharmaceuticals, Inc. (“Millennium”), pursuant to LR 7.01, respectfully requests that the Court grant leave for Millennium to file the attached Response Brief to IPXpharma, LLC’s (“IPX”) Sur-Reply to Millennium’s Motion to Dismiss. As grounds for this Response Brief, Millennium states as follows:

1. On October 1, 2014, IPX sought leave to file a Sur-Reply to Millennium’s Motion to Dismiss (Doc. 50). On October 3, 2014, the Court granted IPX’s motion and IPX filed its Sur-Reply (Doc. 51 and Doc. 52, respectively).

2. In its Sur-Reply, IPX identifies another document that it had not previously disclosed, claiming this new document constitutes a prior written assignment. (Doc. 52, Ex. 1, ¶ 4, Ex. A.)

3. Under LR 7.01(b), “[a] reply memorandum may be filed upon leave of Court.” Millennium’s response to IPX’s Sur-Reply will aid the Court in its consideration of the Motion to Dismiss. The attached Response Brief discusses why the document that IPX identified for the first time in its Sur-Reply does not cure IPX’s deficient standing to bring this suit.

WHEREFORE, for the reasons stated above, Millennium respectfully requests that this Court grant leave for Millennium to file the attached Response Brief in support of its Motion to Dismiss.

DATED: October 13, 2014

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CERTIFICATE OF SERVICE

I hereby certify that, on this the 13th day of October, 2014, a true and correct copy of the foregoing was filed electronically with the U.S. District Court for the Middle District of Tennessee. Notice of this filing was served via the court's electronic filing system on all counsel listed below:

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